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Notification of Loss of Small Entity Status	
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.8(a)(4).	
Dated: <u>December 6, 2010</u>	Signature: <u>Scott Matthews</u> (Scott Matthews)

Docket No.:  
64992/P001US/10308762  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Sagie Tsadka et al.

Application No.: 10/623,280

Filed: July 18, 2003

Issued: September 20, 2005

For: ALL-OPTICAL, TUNABLE  
REGENERATOR, RESHAPER AND  
WAVELENGTH CONVERTER

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**OFFICE OF PETITIONS**

Patent No.: 6,947,206

Art Unit: 3663

Examiner: M. Hellner

**REQUEST UNDER TO 37 C.F.R. § 1.28(c) FOR**  
**CORRECTION OF ERROR IN SMALL ENTITY STATUS MADE IN GOOD FAITH**  
**AND CORRECTION OF MAINTENANCE FEE PAYMENT**

Mailstop M Correspondence  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

At the time the issue fee was paid for U.S. Patent 6,947,206, the assignee was entitled to small entity status. The 4th-year maintenance fee was paid on March 20, 2009, in good faith, also under small entity status. Upon file review, it was discovered that the assignee, Kailight Photonics, Inc., was no longer entitled to small entity status at the time the 4th-year maintenance fee was paid. Through error, the Patent Office was not notified of this loss of entitlement to small entity status. This error was made in good faith. Thus, all fees going forward should be paid under large entity status. Further, it is respectfully requested that the Commissioner excuse this error based upon compliance with the submission and itemization under 37 CFR § 1.28(c) as follows:

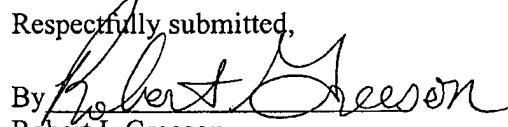
12/13/2010 DALLEN 00000028 062380 6947206  
01 FC:1599 490.00 DA

Type of Fee	Description of Fee	Small Entity Fee Paid on 3-20-2009	Current Fee Amount Due for a Non-Small Entity	Deficiency Owed
1551	Maintenance Fee Due at 3.5 yrs	\$490.00	\$980.00	\$490.00
Total				\$490.00

Please charge the deficit payment of \$490.00 and any other deficiency in the fees filed, asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed for this Patent by this firm) to our Deposit Account No. 06-2380, under Order No. 64992/P001US/10308762. Requestor believes that no surcharge payment (fee type 1554, \$130) is due with this Request because the Mar. 20, 2009 maintenance fee payment was made within the time prescribed by 37 C.F.R. § 1.362(d)(1). However, if Requestor is in error as to the requirement of a surcharge, the Patent Office is hereby authorized to charge such surcharge to the Deposit Account described above.

Dated: December 6, 2010

Respectfully submitted,

By 

Robert L Greeson

Registration No.: 52,966

FULBRIGHT & JAWORSKI L.L.P.

2200 Ross Avenue, Suite 2800

Dallas, Texas 75201-2784

(214) 855-7430

(214) 855-8200 (Fax)

Attorney for Applicant